

86th Legislative Session – 2011

Committee: House Commerce and Energy

Wednesday, March 02, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Solum, Chair
P Conzet, Vice-Chair
P Willadsen
P Deelstra
P Greenfield
P Novstrup (David)
P Jensen
E Miller
P Hubbel
P Fargen
P Hawley
P Jones
P Kirschman

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Solum.

MOTION:

REPRESENTATIVE GREENFIELD MOVED TO CORRECT THE COMMITTEE MINUTES OF MONDAY, FEBRUARY 28, 2011 TO SHOW THAT REPRESENTATIVE GREENFIELD MOVED AND REPRESENTATIVE CONZET SECONDED THAT SB76 BE REPORTED OUT OF COMMITTEE WITH THE RECOMMENDATION THAT THE BILL BE PLACED ON THE CONSENT CALENDAR. THE MOTION PREVAILED BY A VOICE VOTE.

Moved by: Greenfield
Second by: Conzet
Action: Prevailed by voice vote.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 28, 2011 AS CORRECTED

Moved by: Greenfield
Second by: Jensen
Action: Prevailed by voice vote.

SB 44: revise certain provisions regarding representations and warranties in insurance and annuity applications.

Presented by: Randy Moses, Division of Insurance
Proponents: Mike Shaw, Property Casualty Insurance Association of America

MOTION: AMEND SB 44

44sa

On page 2 of the Senate Commerce and Energy Committee engrossed bill, delete lines 6 to 8, inclusive.

On page 2, line 9, delete "insurance policy, certificate, or annuity contract. No insured" and insert "No applicant, insured,".

On page 2, line 10, delete "insured" and insert "applicant, insured,".

Moved by: Willadsen
Second by: Fargen
Action: Prevailed by voice vote.

MOTION: DO PASS SB 44 AS AMENDED

Moved by: Hawley
Second by: Greenfield
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Solum, Conzet, Willadsen, Greenfield, Novstrup (David), Jensen, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Deelstra, Miller

MOTION: PLACE SB 44 ON CONSENT CALENDAR

Moved by: Greenfield
Second by: Fargen

Action: Prevailed by voice vote.

SB 48: revise certain provisions regarding the consumption of distilled spirits in public and to provide certain penalties for consumption of alcoholic beverages.

Presented by: Matt Fonder, Department of Revenue & Regulation

MOTION: DO PASS SB 48

Moved by: Willadsen

Second by: Greenfield

Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen, Miller

MOTION: PLACE SB 48 ON CONSENT CALENDAR

Moved by: Hawley

Second by: Kirschman

Action: Prevailed by voice vote.

SB 132: provide the right of first refusal to construct and own electric transmission lines to incumbent electric utilities.

Presented by: Representative Mark Willadsen

Proponents: Steve Willard, SD Electric Utilities

Chris Nelson, Public Utilities Commissioner

MOTION: DO PASS SB 132

Moved by: Conzet

Second by: Deelstra

Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Jensen, Miller

MOTION: PLACE SB 132 ON CONSENT CALENDAR

Moved by: Deelstra
Second by: Kirschman
Action: Prevailed by voice vote.

SB 202: revise the State Workers' Compensation Advisory Council.

Presented by: Pam Roberts, Secretary, Department of Labor
Proponents: Paul Aylward, SD AFSCME 59 Dakotas Public Employees Union

MOTION: DO PASS SB 202

Moved by: Greenfield
Second by: Kirschman
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Solum, Conzet, Willadsen, Deelstra, Greenfield, Novstrup (David), Jensen, Hubbel, Fargen, Hawley, Jones, Kirschman

Excused: Miller

MOTION: PLACE SB 202 ON CONSENT CALENDAR

Moved by: Greenfield
Second by: Fargen
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Fargen
Second by: Greenfield
Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Roger D. Solum, Chair